

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

EUGENE HORTON,

Plaintiff,

v.

Case No. 02-cv-214-JPG

MARVIN POWERS, *et al.*,

Defendants.

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 57) of Magistrate Judge Philip M. Frazier recommending that the Court deny plaintiff Eugene Horton’s motion for a temporary restraining order or preliminary or permanent injunction and request to dispense with the security requirement (Docs. 45 & 46).

After reviewing a magistrate judge’s report and recommendation, the Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in the report. Fed. R. Civ. P. 72(b). The Court must review *de novo* the portions of the report to which objections are made. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the Report. The Court has reviewed the entire file and finds that the Report is not clearly erroneous. Accordingly, the Court hereby **ADOPTS** the Report in its entirety (Doc. 57) and **DENIES** the plaintiff’s motion for a temporary restraining order or preliminary or permanent injunction and request to dispense with the security requirement (Docs. 45 & 46).

IT IS SO ORDERED.

DATED: August 8, 2005

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE